

TEXAS TRANSPORTATION COMMISSION

BELL County

MINUTE ORDER

Page 1 of 1

WACO District

In the city of Harker Heights, BELL COUNTY, on FARM TO MARKET ROAD 2410, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 4010, Page 240, Deed Records of Bell County, Texas, and the state used certain other land for highway purposes to which there is no record title.

Portions of the land (Tracts 1 and 2), described in Exhibit A, are no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property no longer needed for a state highway purpose to abutting landowners and may recommend the quitclaim of any interest that might have accrued to the state by use of the property to abutting property owners at the request of the county or municipality.

Stripes, LLC, the abutting landowner, has requested to purchase Tract 1 for \$86,467, and has requested the quitclaim of Tract 2.

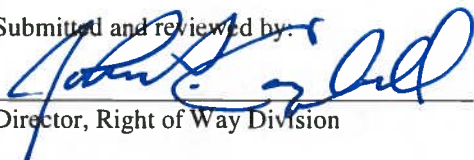
The city of Harker Heights has requested that Tract 2 be quitclaimed to the abutting landowner.

The commission finds \$86,467 to be a fair and reasonable value of the state's right, title, and interest in Tract 1.

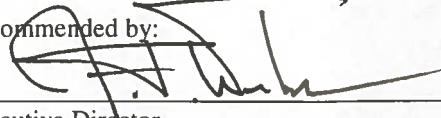
IT IS THEREFORE ORDERED by the commission that the land is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in Tract 1 to Stripes, LLC; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from Tract 1.

FURTHER, the commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument quitclaiming Tract 2 to Stripes, LLC.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

114103 OCT30 14

Minute
Number

Date
Passed

EXHIBIT A to Minute Order

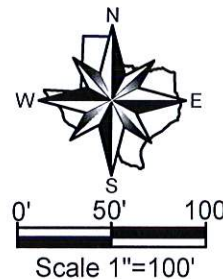
ABBREVIATION LEGEND

ABBR.	DEFINITION
IRF	IRON ROD FOUND
TxDOT	TEXAS DEPARTMENT OF TRANSPORTATION TYPE II
TYPE II	MONUMENT WITH FIBERGLASS LATHE
CIRF	IRON ROD FOUND w/CAP (AS NOTED)
CM	CONTROLLING MONUMENT
O.P.R.B.C.T.	OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS

① CITY OF HARKER HEIGHTS; ANNEXATION ORDINANCE 88-11

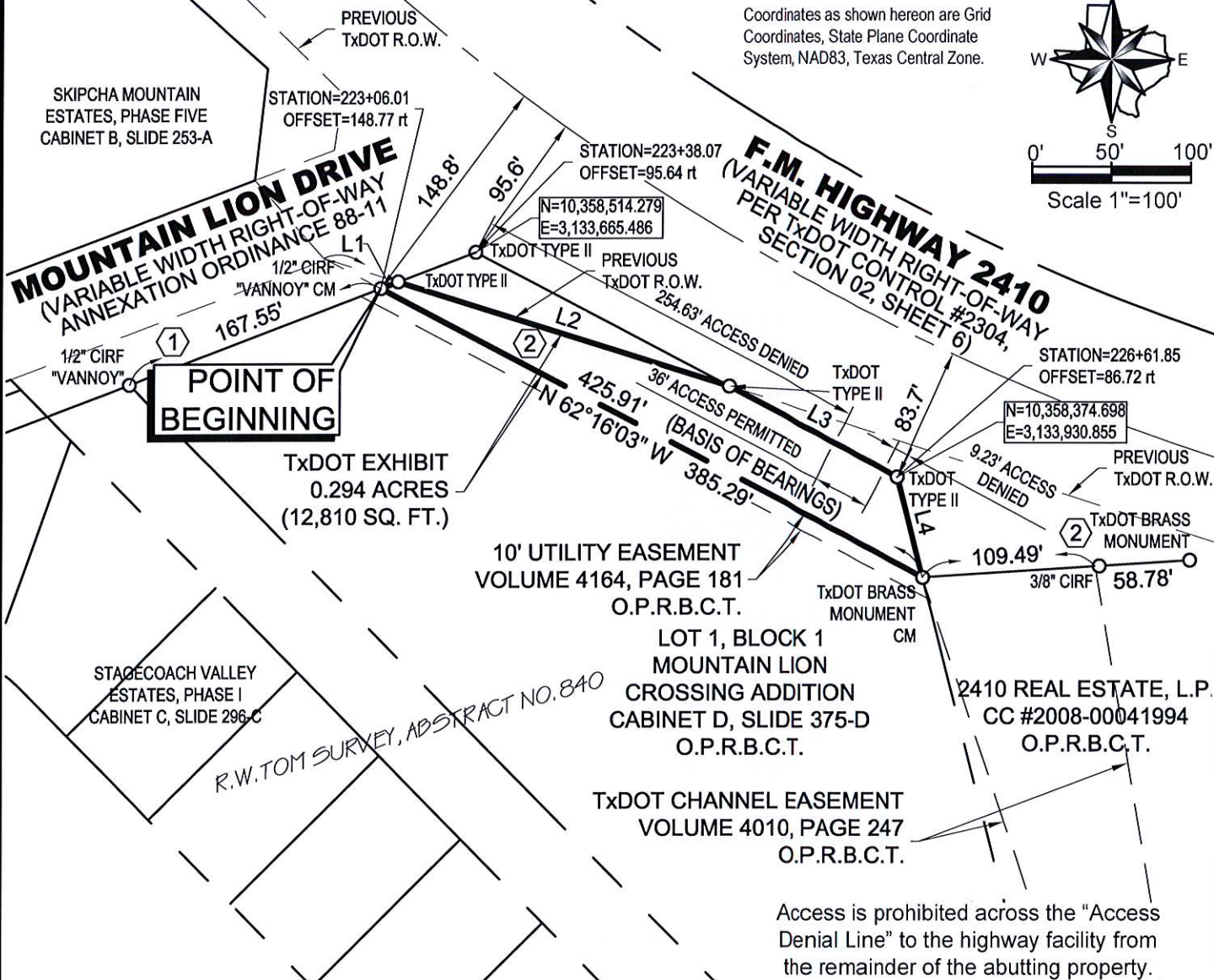
② STATE OF TEXAS; VOLUME 4010, PAGE 240

Coordinates as shown hereon are Grid Coordinates, State Plane Coordinate System, NAD83, Texas Central Zone.



LINE TABLE

LINE #	BEARING	DISTANCE
L1	N69°16'28"E	11.74'
L2	S72°33'32"E	216.68'
L3	S62°16'03"E	120.97'
L4	S14°38'56"E	64.30'



Refer to field notes of even date.



Winkelmann & Associates, Inc.
CONSULTING CIVIL ENGINEERS ■ SURVEYORS

6750 HILLCREST PLAZA DRIVE, SUITE 325 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX

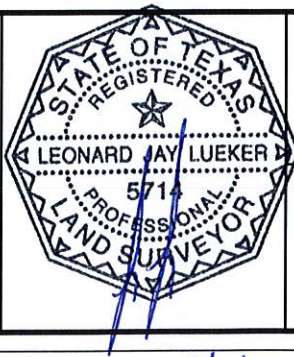
Texas Engineers Registration No. 89
Firm Registration/License No. 10086600 Expires 12-31-14

Scale: 1" = 100'

Date: 04.16.14

Dwg. File: 70932-TxDOT

Project No.: 70932



TRACT I
TxDOT EXHIBIT
0.294 ACRES (12,810 SQ. FT.)

ORANGE DEVELOPMENT, INC.
1200 CORPORATE DRIVE, SUITE G-50
BIRMINGHAM, ALABAMA 35242

SHEET
1
OF
2

PROPERTY DESCRIPTION

EXHIBIT A to Minute Order

STATE OF TEXAS §
COUNTY OF BELL §

BEING a tract of land situated in the R. W. TOM SURVEY, ABSTRACT A-840, in the City of Harker Heights, Bell County, Texas, being a portion of a tract of land described in deed to the State of Texas as recorded in Volume 4010, Page 240, Official Public Records, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with plastic cap stamped "VANNOY" found for corner at the intersection of the Southwesterly right-of-way line of F.M. 2410, a variable width right-of-way, and the Southeasterly right-of-way line of Mountain Lion Drive as established by deed to the City of Harker Heights recorded in Volume 5822, Page 386, Official Public Records, Bell County, Texas, variable width right-of-way, said 1/2-inch iron rod with plastic cap stamped "VANNOY" found being the most Northerly corner of Lot 1, Block 1, Mountain Lion Crossing Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the Plat thereof recorded in Cabinet D, Slide 375 D, Official Public Records, Bell County, Texas;

1. THENCE North 69 deg 16 min 28 sec East, departing the most Northerly corner of said Lot 1, over and across said State of Texas tract, a distance of 11.74 feet to a TxDOT type II monument with a fiberglass lathe set for corner;
2. THENCE South 72 deg 33 min 32 sec East, a distance of 216.68 feet to a TxDOT type II monument with a fiberglass lathe set for corner on the Northeasterly line of said State of Texas tract;
3. THENCE South 62 deg 16 min 03 sec East, along the Northeasterly line of said State of Texas tract, a distance of 120.97 feet to a TxDOT type II monument with a fiberglass lathe set for corner;
4. THENCE South 14 deg 38 min 56 sec East, a distance of 64.30 feet to a TxDOT brass monument found for the Northeast corner of said Lot 1 and the Northwest corner of a tract of land described in deed to 2410 Real Estate, L. P. as recorded in County Clerk's Instrument No. 2008-00041994, Official Public Records, Bell County, Texas;
5. THENCE North 62 deg 16 min 03 sec West, along the Southwesterly right-of-way of said F.M. 2410 and the Northeast line of said Lot 1, a distance of 385.29 feet to the POINT OF BEGINNING.

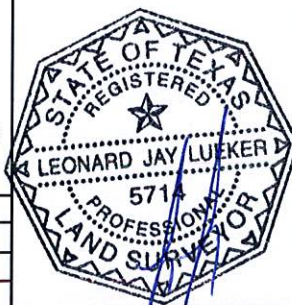
CONTAINING within these metes and bounds 12,810 square feet or 0.294 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 26th day of March, 2014, utilizing a G.P.S. measurement (NAD 83, grid values, Central Zone) of South 62 deg 16 min 03 sec East (plat-South 62 deg 16 min 03 sec East), along the Southwesterly right-of-way of F.M. 2410, as shown on plat recorded in Cabinet D, Slide 375 D, Official Public Records, Bell County, Texas.

Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

Refer to plat of even date.

Winkelmann & Associates, Inc.
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DALLAS, TEXAS 75230 (972) 490-7099 FAX
Texas Engineers Registration No. 89
Firm Registration/icense No. 10086600 Expires 12-31-14

Scale : N/A
Date : 04.16.14
Dwg. File : 70932-TxDOT
Project No. : 70932



TRACT I
TxDOT EXHIBIT
0.294 ACRES (12,810 SQ. FT.)

ORANGE DEVELOPMENT, INC.
1200 CORPORATE DRIVE, SUITE G-50
BIRMINGHAM, ALABAMA 35242

SHEET
2
OF
2

9/10/14

EXHIBIT B to Minute Order

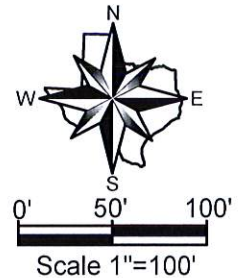
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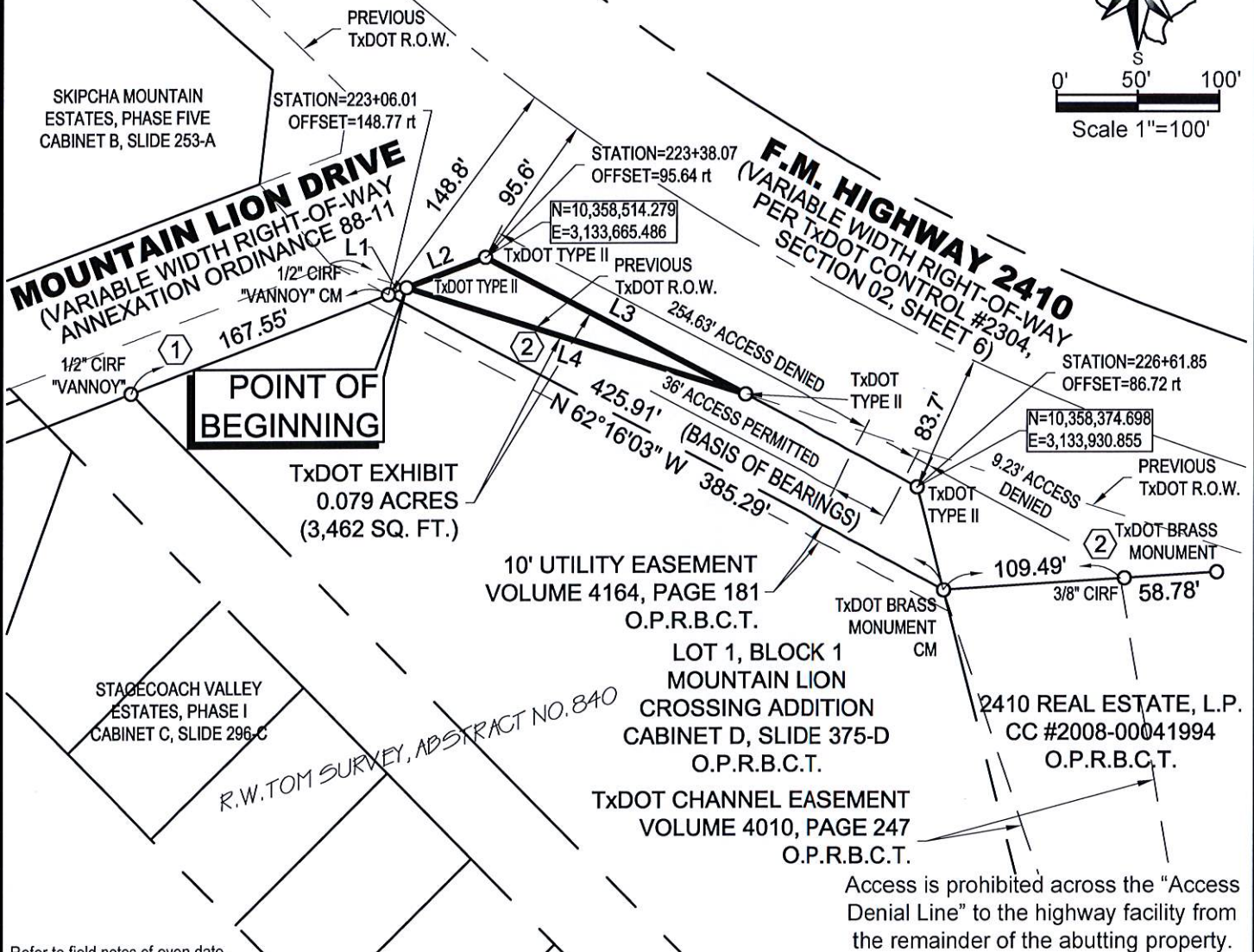
② STATE OF TEXAS; VOLUME 4010, PAGE 240

Coordinates as shown hereon are Grid Coordinates, State Plane Coordinate System, NAD83, Texas Central Zone.



LINE TABLE

LINE #	BEARING	DISTANCE
L1	N69°16'28"E	11.74'
L2	N69°16'28"E	51.72'
L3	S62°16'03"E	178.89'
L4	N72°33'32"W	216.68'



Refer to field notes of even date.

Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

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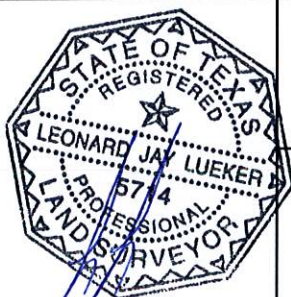
Texas Engineers Registration No. 89
Firm Registration/License No. 10086600 Expires 12-31-14

Scale: 1" = 100'

Date: 04.16.14

Dwg. File: 70932-TxDO-QC

Project No.: 70932



TRACT II
TxDOT EXHIBIT
0.079 ACRES (3,462 SQ. FT.)

ORANGE DEVELOPMENT, INC.
1200 CORPORATE DRIVE, SUITE G-50
BIRMINGHAM, ALABAMA 35242

SHEET
1
OF
2

PROPERTY DESCRIPTION

EXHIBIT B to Minute Order

STATE OF TEXAS §
COUNTY OF BELL §

BEING a tract of land situated in the R. W. TOM SURVEY, ABSTRACT A-840, in the City of Harker Heights, Bell County, Texas, being a portion of Texas Department of Transportation (TxDOT) Farm-to-Market (F.M.) 2410 according to the TxDOT Control #2304, Section 02, Sheet 6, and being more particularly described as follows:

BEGINNING at a TxDOT type II monument with a fiberglass lathe set for corner at the intersection of the Southwesterly right-of-way line of F.M. 2410 as established in said deed to the State of Texas, a variable width right-of-way, and the Southeasterly right-of-way line of Mountain Lion Drive as established by deed to the City of Harker Heights recorded in Volume 5822, Page 386, Official Public Records, Bell County, Texas, variable width right-of-way, said point being the most Northerly Northwest corner of said State of Texas tract, said point also being North 69 deg 16 min 28 sec East, a distance of 11.74 feet from a 1/2-inch iron rod with plastic cap stamped "VANNOY" found for the most Northerly corner of Lot 1, Block 1, Mountain Lion Crossing Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the Plat thereof recorded in Cabinet D, Slide 375 D, Official Public Records, Bell County, Texas;

1. THENCE North 69 deg 16 min 28 sec East, along the prolongation of the Southeasterly right-of-way line of said Mountain Lion Drive, a distance of 51.72 feet to a TxDOT type II monument with a fiberglass lathe set for corner
2. South 62 deg 16 min 03 sec East, a distance of 178.89 feet to a TxDOT type II monument with a fiberglass lathe set for corner on the Northeasterly line of said State of Texas tract;
3. THENCE North 72 deg 33 min 32 sec West, along the Northeasterly line of said State of Texas tract, a distance of 216.68 feet to the POINT OF BEGINNING.

CONTAINING within these metes and bounds 3,462 square feet or 0.079 acres of land, more or less. Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 26th day of March, 2014, utilizing a G.P.S. measurement (NAD 83, grid values, Central Zone) of South 62 deg 16 min 03 sec East (plat-South 62 deg 16 min 03 sec East), along the Southwesterly right-of-way of F.M. 2410, as shown on plat recorded in Cabinet D, Slide 375 D, Official Public Records, Bell County, Texas.

Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

Refer to plat of even date.

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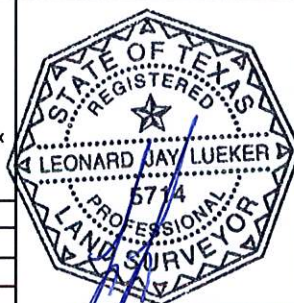
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TRACT II
TxDOT EXHIBIT
0.079 ACRES (3,462 SQ. FT.)

ORANGE DEVELOPMENT, INC.
1200 CORPORATE DRIVE, SUITE G-50
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SHEET
2
OF
2

9/10/14